

1 RON E. SHULMAN, State Bar No. 178263
ron.shulman@lw.com
2 TERRY KEARNEY, State Bar No. 160054
terry.kearney@lw.com
3 RICHARD G. FRENKEL, State Bar No. 204133
rick.frenkel@lw.com
4 LATHAM & WATKINS LLP
5 140 Scott Drive
Menlo Park, CA 94025
6 Telephone: (650) 328-4600
7 Facsimile: (650) 463-2600

8 Attorneys for Plaintiff SYNOPSYS, INC.

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 IN RE RICOH COMPANY LTD.
15 PATENT LITIGATION
16
17
18
19
20
21
22
23
24
25
26
27
28

CASE NO. C 03-02289 JW

**DECLARATION OF RICHARD G.
FRENKEL IN SUPPORT OF
SYNOPSYS'S MOTION FOR TAXATION
OF COSTS UPON REMAND**

Date: April 23, 2012
Time: 9:00 a.m.
Judge: Hon. James Ware
Dept: Courtroom 9, 19th Floor

1 I, Richard G. Frenkel, declare as follows:

2 1. I am an attorney at Latham & Watkins LLP, counsel for Synopsys, Inc.
3 (“Synopsys”) in the above-captioned case. I am over the age of 18 and have personal knowledge
4 of the facts set forth in this declaration. I submit this declaration in support of Synopsys’s Motion
5 for Taxation of Costs Upon Remand.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiff’s First Set of
7 Document Requests to All Defendants, dated May 30, 2003.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of the Federal Circuit
9 opinion reported at *In re Ricoh Co. Patent Litig.*, 661 F.3d 1361 (Fed. Cir. 2011).

10 4. Attached hereto as Exhibit 3 is a true and correct copy of the Opening Briefing of
11 Appellant Ricoh Co. Ltd. on the appeal of this Court’s earlier judgment incorporating its Bill of
12 Costs Order, Ricoh’s appeal being dated May 17, 2011.

13 5. Attached hereto as Exhibit 4 is a true and correct copy of Ricoh’s Second Set of
14 Document Requests to All Defendants, dated July 2, 2003.

15 6. Attached hereto as Exhibit 5 is a true and correct copy of the Subpoena Duces
16 Tecum served on Synopsys, Inc. on June 12, 2003.

17 7. Attached hereto as Exhibit 6 is a true and correct copy of Ricoh’s First Set of
18 Document Requests to Synopsys, dated October 23, 2003.

19 8. Attached hereto as Exhibit 7 is a true and correct copy of Ricoh’s Second Set of
20 Document Requests to Synopsys, dated April 17, 2006.

21 9. Attached hereto as Exhibit 8 is a true and correct copy of Ricoh’s Third Set of
22 Document Requests to Synopsys, dated November 25, 2009.

23 10. I have reviewed Ricoh’s sets of document requests as reflected in Exhibits 1 and
24 4-8. Including subparts, and counting against each defendant, Ricoh’s total number of requests
25 exceeded 400 in number.

26 11. Attached hereto as Exhibit 9 is a true and correct copy of Ricoh’s Brief in
27 Opposition to Synopsys’ Third Motion to Stay, dated March 14, 2006.

28

1 12. Attached hereto as Exhibit 10 is a true and correct copy of the Joint Case
2 Management Conference Statement and Proposed Order, dated April 23, 2004.

3 13. Attached hereto as Exhibit 11 is a true and correct copy of the parties' joint letter
4 regarding discovery disputes, dated August 30, 2005.

5 14. Attached hereto as Exhibit 12 is a true and correct copy of Ricoh's letter to
6 Synopsys, dated August 26, 2003.

7 15. Attached hereto as Exhibit 13 is a true and correct copy of Synopsys's letter to
8 Ricoh, dated September 8, 2003 and Ricoh's letter to Synopsys, dated September 10, 2003.

9 16. Attached hereto as Exhibit 14 is a true and correct copy of Synopsys's letter to
10 Ricoh, dated August 27, 2003.

11 17. Attached hereto as Exhibit 15 is a true and correct copy of Ricoh's letter to
12 Synopsys, dated December 23, 2003.

13 18. Attached hereto as Exhibit 16 is a true and correct copy of Synopsys's letter to
14 Ricoh, dated December 24, 2003.

15 19. Attached hereto as Exhibit 17 is a true and correct copy of Defendant Aeroflex,
16 Inc.'s Responses to Plaintiff Ricoh Company Ltd.'s Restated First Set of Interrogatories, dated
17 October 24, 2005.

18 20. Attached hereto as Exhibit 18 is a true and correct copy of Ricoh's Second Set of
19 Interrogatories to Synopsys, dated April 17, 2006.

20 21. Attached hereto as Exhibit 19 is a true and correct copy of a non-confidential
21 excerpt from Ricoh's Written Report of Donald Soderman in Rebuttal to Reports of Kowalski,
22 Mitchell and Van Horn, dated July 24, 2006.

23 22. Attached hereto as Exhibit 20 is a true and correct copy of a non-confidential
24 excerpt from Ricoh's Expert Report of R. Fred Lipscomb.

25 23. Attached hereto as Exhibit 21 is a true and correct copy of a non-confidential
26 excerpt from Ricoh's Expert Report of Maureen S. Loftus.

27 24. Attached hereto as Exhibit 22 is a true and correct copy of an invoice showing
28 charges for "Heavy Handling Litigation Copies."

25. Attached hereto as Exhibit 23 is a true and correct copy of an invoice showing charges for “Medium Handling Litigation Copies.”

26. Attached hereto as Exhibit 24 is a true and correct copy of an invoice showing charges for “Litigation, Heavy.”

27. Attached hereto as Exhibit 25 is a true and correct copy of an invoices showing charges for “Handplacement Copies.”

28. Attached hereto as Exhibit 26 is a true and correct copy of an invoice showing charges for “Light Litigation Copies.”

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration was executed at Palo Alto, California on March 19, 2012.

By: /s/ Richard G. Frenkel
Richard G. Frenkel